

WILSON SONSINI GOODRICH & ROSATI
PROFESSIONAL CORPORATION650 PAGE MILL ROAD
PALO ALTO, CALIFORNIA 94304-1050
TELEPHONE 415-493-9300 FACSIMILE 415-493-6811
WWW.WSGR.COMJOHN ARNOT WILSON
RETIRED

NOV 24 1997

November 21, 1997

Office of the Secretary
Federal Communications Commission
Washington, D.C. 20554re: **Comments to Notice of Proposed Rulemaking, ET Docket No. 97-206**

Ladies and Gentlemen:

This letter responds to the Federal Communications Commission's Notice of Proposed Rulemaking, ET Docket No. 97-206, on behalf of certain of our clients who are engaged in the business of developing and commercializing cable television equipment and related home entertainment products.

We respectfully request that the Commission consider the following:

1. We believe that the rules adopted by the Commission should allow for multiple ratings systems. In particular, we believe that the proposed industry rating system being championed by the Motion Picture Association of America and others (the "Industry Proposal"), while a good start toward accomplishing the objectives of the Telecommunications Act of 1996, lacks significant benefits that other improved rating systems could offer. These would include, for example, systems that permit the blocking of individual scenes that contain objectionable material--in addition to (or in lieu of) blocking the entire Program. Further, these systems could provide for in-scene editing, wherein a scene could be modified rather than blocked. Technologies exist today to make these possible, and the rules should make possible the future implementation of these types of systems. History has shown that innovative technology companies, among whom are our clients, are exceptionally creative and effective at implementing such new technologies. The rules finally adopted should not establish a standard or ratings system that would preclude the implementation of such creative and effective new approaches.

2. Further, we believe in particular that the rules should provide for coding of individual scenes, in addition to coding the Program as a whole at the beginning of the Program. By so coding individual sequences or scenes that contain objectionable material, programs that

0+4

Office of the Secretary

November 21, 1997

Page 2

contain only limited objectionable scenes could be viewed, with only the objectionable scenes being blocked.

3. Lastly, we believe that video cassette recording devices, and other devices that incorporate television receivers, should also include blocking technology. As the home computer and the television will inevitably converge, a significant possibility exists that the home entertainment system will consist of various elements consisting of a television receiver, cable decoder, cable modem and monitor. Since the monitor may well be separated from the television receiver, it is important that devices including the television receiver also include the blocking technology. Otherwise, VCR devices that include television signal receivers used with a "universal" monitor would not be enabled with blocking technology. In addition, including the blocking technology in VCR devices would permit the ratings systems developed for television programming to be made available for video cassettes.

If we may assist the Commission in any way or provide additional information, please contact the undersigned at 415-493-9300.

Very truly yours,



Kenneth A. Clark